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**TEXTS ADOPTED**

*Provisional edition*

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**P8\_TA-PROV(2015)0317**

**Migration and refugees in Europe**

**European Parliament resolution of 10 September 2015 on migration and refugees in Europe (2015/2833(RSP))**

*The European Parliament,*

- having regard to the Charter of Fundamental Rights of the European Union,
- having regard to the Convention for the Protection of Human Rights and Fundamental Freedoms,
- having regard to the Universal Declaration of Human Rights of 1948,
- having regard to the 1951 Convention relating to the Status of Refugees and the additional protocol thereto,
- having regard to its resolution of 9 October 2013 on EU and Member State measures to tackle the flow of refugees as a result of the conflict in Syria<sup>1</sup>,
- having regard to its resolution of 23 October 2013 on migratory flows in the Mediterranean, with particular attention to the tragic events off Lampedusa<sup>2</sup>,
- having regard to its resolution of 17 December 2014 on the situation in the Mediterranean and the need for a holistic EU approach to migration<sup>3</sup>,
- having regard to its resolution of 29 April 2015 on the latest tragedies in the Mediterranean and EU migration and asylum policies<sup>4</sup>,
- having regard to the Commission's European Agenda on Migration of 13 May 2015 (COM(2015)0240),
- having regard to the ten-point action plan on migration of the Joint Foreign and Home Affairs Council of 20 April 2015,

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<sup>1</sup> Texts adopted, P7\_TA(2013)0414.

<sup>2</sup> Texts adopted, P7\_TA(2013)0448.

<sup>3</sup> Texts adopted, P8\_TA(2014)0105.

<sup>4</sup> Texts adopted, P8\_TA(2015)0176.

- having regard to the conclusions of the European Council Special Summit on the Mediterranean refugee crisis of 23 April 2015,
  - having regard to the report of the Parliamentary Assembly of the Council of Europe (PACE) of April 2012 entitled ‘Lives lost in the Mediterranean Sea’,
  - having regard to the Council conclusions of 20 July 2015,
  - having regard to the EU-Horn of Africa Migration Route Initiative, or ‘Khartoum Process’, adopted on 28 November 2014 by African Union and EU Member States and institutions,
  - having regard to the reports of the UN Special Rapporteur on the Human Rights of Migrants, in particular that entitled ‘Banking on mobility over a generation: follow-up to the regional study on the management of the external borders of the European Union and its impact on the human rights of migrants’, published in May 2015,
  - having regard to the European Asylum Support Office (EASO) Annual Report on the Situation of Asylum in the European Union 2014,
  - having regard to the debate on migration and refugees in Europe held in Parliament on 9 September 2015,
  - having regard to Rule 123(2) and (4) of its Rules of Procedure,
- A. whereas, as a consequence of persistent conflicts, regional instability and human rights violations, an unprecedented number of people are seeking protection in the EU; whereas the number of asylum applications concerning children has increased by 75 % since last year; whereas the summer period has demonstrated once again that migration is not a temporary issue and that the surge in refugee numbers looks set to continue, highlighting once more the urgent need to do everything possible to save the lives of people who are fleeing their countries and are in danger, and the fact that the Member States should abide by their international obligations, including rescue obligations at sea;
  - B. whereas 2 800 women, men and children have been reported dead or missing in 2015 in their attempt to reach a safe place in Europe, according to UNHCR data; whereas refugees and migrants are also losing their lives making their way over land in Europe;
  - C. whereas smugglers and human traffickers exploit irregular migration and put at risk the lives of immigrants for their own business profits, are responsible for thousands of deaths and pose a serious challenge to the EU and the Member States; whereas traffickers generate profits of EUR 20 billion per year from their criminal activities; whereas, according to Europol, organised criminal groups actively facilitating the transport of irregular migrants across the Mediterranean Sea have been linked to human trafficking, drugs, firearms and terrorism;
  - D. whereas the main countries of origin of asylum seekers in 2015 are Syria, Afghanistan, Eritrea and Iraq, according to FRONTEX data; whereas the vast majority of people fleeing these countries to Europe are granted protection, according to Eurostat;
  - E. whereas regional instability and conflict and the rise of IS/Da’esh in neighbouring conflict areas are having an impact on the mass influx of migrants and flows of displaced people and, therefore, on the number of individuals attempting to reach the EU;

- F. whereas the last European Council meeting, held on 25-26 June 2015, and the subsequent Justice and Home Affairs Council meeting on 20 July 2015 failed to produce an agreement on a binding redistribution mechanism for the relocation and resettlement of people, and instead settled for a voluntary mechanism; whereas Member States failed to reach an agreement on providing 40 000 places for the relocation of refugees from Greece and Italy and instead pledged only 32 256 places;
  - G. whereas on 3 September 2015 European Council President Donald Tusk called for at least 100 000 refugees to be redistributed;
  - H. whereas, instead of the current ad hoc decision making, it is necessary to develop a longer-term approach to asylum and migration;
  - I. whereas many citizens are demonstrating an unprecedented level of solidarity with refugees, warmly welcoming them and providing an impressive level of support; whereas European citizens are thereby showing that protection of those in need and compassion remain truly European values;
  - J. whereas the current situation has highlighted a regrettable lack of solidarity on the part of governments towards asylum-seekers, and insufficiently coordinated and coherent action; whereas this is leading to a chaotic situation and human rights violations; whereas the different positions taken by individual Member States continue to highlight the fact that the EU has 28 fragmented migration policies; whereas the lack of unified asylum procedures and standards in the Member States leads to differing levels of protection, and in some cases even to inadequate guarantees for asylum seekers;
  - K. whereas some Member States and their leaders have taken a proactive approach and demonstrated preparedness and a willingness to receive refugees and establish a permanent and mandatory mechanism for allocating refugees among all Member States; whereas other Member States should follow this good example;
  - L. whereas the strategic report on a holistic approach to migration by its Committee on Civil Liberties, Justice and Home Affairs will address EU asylum and migration policy in its entirety;
  - M. whereas under the 1951 Convention relating to the Status of Refugees (Geneva Convention) people may seek asylum regardless of their country of origin, as long as they have a well-founded fear of being persecuted because of their race, religion, nationality, membership of a particular social group or political opinion;
- 1. Expresses its deep regret and sorrow at the tragic loss of lives of people seeking asylum in the EU; urges the EU and the Member States to do everything possible to prevent further loss of life at sea or on land;
  - 2. Expresses its solidarity with the high number of refugees and migrants who are victims of conflicts, grave violations of human rights, tangible governance failures and harsh repression;
  - 3. Welcomes the efforts of civil society groups and individuals all over Europe who are mobilising in large numbers to welcome and provide aid to refugees and migrants; encourages European citizens to keep up their support and engagement for a humanitarian response to the refugee crisis; believes that such actions demonstrate true adherence to European values and are a sign of hope for the future of Europe;

4. Reiterates its support for its resolution of 29 April 2015 on the latest tragedies in the Mediterranean and EU migration and asylum policies; recalls the need for the EU to base its immediate response to the current refugee situation on solidarity and fair sharing of responsibility, as stated in Article 80 of the Treaty on the Functioning of the European Union (TFEU), and on a holistic approach that takes into account safe and legal migration and full respect for fundamental rights and values;
5. Reiterates its commitment to open borders within the Schengen area, while ensuring effective management of external borders; stresses that the free movement of people within the Schengen area has been one of the biggest achievements of European integration;
6. Welcomes the Commission's initiatives on relocation and resettlement, including the new one for emergency relocation of an increased number of asylum seekers in need of international protection, covering Greece, Italy and Hungary; endorses the announcement by the Commission of a permanent relocation mechanism, to be activated in emergency situations, taking into account the number of refugees present in the Member State, which is based on Article 78(2) of the TFEU; is prepared to deal with the new emergency relocation scheme under a fast-track procedure and declares its intention to advance all other measures proposed by the Commission in parallel, so as to ensure that Member States do not delay the permanent relocation scheme; reminds the Council that Parliament is strongly in favour of a binding relocation mechanism which, as far as possible, takes into account the preferences of refugees;
7. Welcomes the operational support which the Commission will provide to frontline Member States such as Greece, Italy and Hungary via 'Hotspots' by using expertise from the EU agencies such as FRONTEX, EASO and the European police office (Europol), to help Member States with the registration of people arriving; reminds the Member States that the success of such registration centres depends on their willingness to relocate refugees from the 'Hotspots' to their territories; believes that such an approach should clearly provide for effective mechanisms for the identification of people with specific needs and for their onward referral to services;
8. Notes the Commission proposal to strengthen the 'safe country of origin' provision of the Asylum Procedure Directive by establishing a common EU list of safe countries of origin; understands that this approach could limit the procedural rights of citizens of those countries; recalls that the acceptance rate for asylum applications varies greatly from one Member State to another, including as regards particular countries of origin; requests that steps be taken to ensure that this approach does not undermine the principle of *non-refoulement* and the individual right to asylum, especially that of people belonging to vulnerable groups;
9. Reiterates its calls on the Commission to amend the existing Dublin Regulation in order to include a permanent, binding system of distribution of asylum seekers among the 28 Member States, using a fair, compulsory allocation key, while taking into account the prospects of integration and the needs and specific circumstances of asylum seekers themselves;
10. Calls on the Commission and the Member States to create significant budgetary room and readiness in the 2016 budget and multiannual financial framework (MFF) provisions, enabling more swift and substantial support to EASO and the Member States as regards

their actions for reception and integration of refugees, including in the framework of the relocation and resettlement schemes;

11. Calls for rapid and full transposition and effective implementation of the Common European Asylum System by all participating Member States; urges the Commission to make sure that all Member States are properly implementing EU legislation in order to ensure that common effective, consistent and humane standards are applied across the EU taking into account the best interests of the child;
12. Believes that the implementation of the Return Directive should go hand in hand with respect for the procedures and standards that allow Europe to ensure humane and dignified treatment of returnees, in line with the principle of *non-refoulement*; recalls that voluntary returns should be prioritised over forced returns;
13. Recalls that the possibilities for people in need of protection to legally enter the EU are very limited, and deplores the fact that they have no other option but to resort to criminal smugglers and dangerous routes to find protection in Europe, as a result of, among other factors, the building of fences and sealing-off of external borders; considers it therefore a high priority that the EU and its Member States create safe and legal avenues for refugees, such as humanitarian corridors and humanitarian visas; stresses that, in addition to a compulsory resettlement programme, Member States should agree to provide other tools, such as enhanced family reunification, private sponsorship schemes and flexible visa arrangements, including for study and work; believes that it is necessary to amend the Visa Code by including more specific common provisions on humanitarian visas; asks Member States to make it possible to apply for asylum at their embassies and consular offices;
14. Recalls that the Member States should lay down strong criminal sanctions against human trafficking and smuggling, both into and across the EU; calls on the Member States to combat criminal networks of smugglers, but in the meantime not to penalise those who voluntarily help migrants on humanitarian grounds, including carriers, by asking the Commission to consider revising Council Directive 2001/51/EC; takes note of the EUNAVFOR Med operation against smugglers and traffickers in the Mediterranean;
15. Regrets that the leaders of some Member States and the far-right parties are using the current situation to fuel anti-migration sentiments while blaming the EU for the crisis, and that this is giving rise to growing numbers of violent actions against migrants; calls on the Commission and the Member States to take urgent steps against violent actions and hate speech targeting migrants; also calls on the leaders of the EU and the Member States to take a clear stance in favour of European solidarity and respect for human dignity;
16. Recalls that migration is a global and complex phenomenon which also requires a long-term approach that addresses its root causes, such as poverty, inequality, injustice, climate change, corruption, ill-governance and armed conflict; urges the Commission and the Council to focus the Valletta Summit in November 2015 on such root causes; underlines the need for a comprehensive EU approach, strengthening the coherence of its internal and external policies, and notably its common foreign and security policy, development policy and migration policy; questions plans to link development aid to more border controls or readmission agreements by third countries;
17. Asks the EU, its Member States and other international donors to deliver urgently on the pledges made at the Financing for Development Conference held in July 2015 in Addis

Ababa, and stresses the need to refocus development policy on building peaceful societies, combating corruption and promoting good governance, as specified in Sustainable Development Goal 16 of the post-2015 global development framework;

18. Urges the EU, its Member States and the international community to reinforce their role in conflict resolution and, in particular, help find sustainable political solutions in regions in conflict, such as Iraq, Syria and Libya and the Middle East, and to strengthen political dialogue, including with regional organisations, encompassing all human rights elements, in order to support inclusive and democratic institutions and the rule of law, to build the resilience of local communities and to foster social and democratic development in the countries of origin and among their peoples; calls in this regard for greater cooperation with countries in the region within the Arab League and the African Union in order to manage, resettle and grant asylum to persons in need of protection;
19. Calls on the Commission and the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy to convene an international conference on the refugee crisis, with the participation of the EU, its Member States, UN-related agencies, the United States, relevant international NGOs and Arab states, among others, with the aim of establishing a common global humanitarian aid strategy;
20. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, and the governments and parliaments of the Member States.